

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SHANNON CARTER,
 Plaintiff,
 v.
 DR. BRYAN, et al.,
 Defendants.

Case No. 2:18-cv-01593-GMN-NJK

ORDER

[Docket No. 45]

Pending before the Court is Defendants' motion to stay discovery. Docket No. 45. The motion is properly resolved without a hearing. *See* LR 78-1.

I. BACKGROUND

Plaintiff is an inmate who is proceeding *pro se* in this action and alleges, *inter alia*, that Defendants were deliberately indifferent to his serious medical needs. *See* Docket Nos. 1-1, 5, 32. On January 28, 2021, the Court issued a scheduling order setting discovery deadlines for this case, including a discovery cutoff date of April 28, 2021. Docket No. 36. On April 7, 2021, Defendants filed a motion for enlargement of discovery deadlines and amendment of the scheduling order. Docket No. 43. On April 8, 2021, the Court denied Defendants' motion without prejudice because the parties had not met and conferred prior to the filing of the motion. Docket No. 44. On April 14, 2021, Defendants filed the instant motion asking the Court to stay discovery. Docket No. 45.

II. LEGAL STANDARD

"The Federal Rules of Civil Procedure do not provide for automatic or blanket stays of discovery." *Solera at Anthem Cmty. Ass'n Inc. v. Del Webb Communities, Inc.*, 2013 WL 79815, at * 1 (D. Nev. Jan. 3, 2013) (citing *Skellercup Indus. Ltd. v. City of Los Angeles*, 163 F.R.D. 598, 600–01 (C.D. Cal. 1995)). Nonetheless, the Court has broad discretionary power to control and stay discovery. *See, e.g., Little v. City of Seattle*, 863 F.2d 681, 685 (9th Cir. 1988). In deciding whether to grant a stay of discovery, the Court is guided by the objectives of Fed. R. Civ. P. 1 to

1 ensure a just, speedy, and inexpensive determination of every action. *Tradebay, LLC v. eBay, Inc.*,
 2 278 F.R.D 597, 602–03 (D. Nev. 2011).

3 **III. ANALYSIS**

4 Defendants submit that a stay of discovery is proper in this case based on ongoing
 5 proceedings in *Carter v. Bean, et al.*, 2:17-cv-1628-RFB-EJY. Docket No. 45 at 3.¹ Specifically,
 6 Defendants submit that the parties have agreed to attempt a global resolution of Plaintiff’s claims
 7 against Defendants through the Ninth Circuit’s Mediation Program in *Carter v. Bean. Id.*
 8 Defendants submit that *Carter v. Bean* is an independent proceeding that “will likely bear on the
 9 instant case.”² *Id.* at 3. Defendants further submit that Plaintiff does not oppose this request for
 10 a stay. *Id.* at 1, 3.

11 Applying the relevant legal standard to the instant motion, the Court finds that a stay of
 12 discovery is appropriate in this case.

13 **IV. CONCLUSION**

14 Accordingly, Defendants’ motion to stay discovery, Docket No. 45, is hereby **GRANTED**.
 15 No later than June 14, 2021, the parties must file a joint status report.

16 IT IS SO ORDERED.

17 Dated: April 20, 2021

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 Nancy J. Koppe
 United States Magistrate Judge

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 21 ¹ Defendants submit that the instant motion “incorporates their previous Motion by
 22 reference, as if fully set forth herein below, and supplement as follows.” Docket No. 45 at 2.
 23 Parties must file a single motion supported by a memorandum of points and authorities. *See*
 24 *Ramirez v. Guinn*, 2004 WL 7338806, at *1 n.1 (D. Nev. May 26, 2004) (“Defendants’ counsel is
 25 admonished that in the future, the practice of attaching an earlier-filed memorandum, without
 26 more, will be treated as a failure to file an opposition . . . and will constitute a consent to the
 27 granting of the motion”); *see also Friends of Moon Creek v. Diamond Lake Improvement, Ass’n,*
Inc., 2015 WL 2250456, at *1 (E.D. Wash. May 13, 2015) (“A party wishing to present a motion
 to the court needs to present the argument in a brief, clear, and concise fashion—not direct the
 court to search through . . . previously filed briefs to find an argument”); *Langella v. Cercone*,
 2010 WL 2402940, at *6 n.1 (W.D. Pa. June 10, 2010) (“[I]f a party wants to utilize a specific
 legal argument already advanced to this Court . . . the party shall take the time to fully transcribe
 said argument into his or her document”).

28 ² In their previously filed motion, Defendants submit that mediation proceedings in *Carter*
v. Bean “will hopefully resolve . . . the instant case.” Docket No. 43 at 4.